

REMARKS

Further to the RCE application filed on March 28, 2005, Applicant kindly requests entry of an amendment canceling claims 1-20 and adding new claims 21-30. Reconsideration of the application and new claims 21-30 is respectfully requested.


In a telephone discussion between the undersigned attorney and Examiner Ahmed on May 4, 2005, differences between the presently proposed claims and the prior art were discussed including the orthogonal nature of the different images and the differences between tomosynthesis based construction of the present claims and laminography principles taught in the prior art references. In addition, the limitations of identifying a vertical slice image signature (claim 21) and analyzing the image signature (claim 22) were also highlighted.

The telephone discussion also cautioned Applicant not to introduce new matter and keep the newly proposed claims limited to subject matter previously disclosed in the application and the material incorporated by reference. Such further discussions centered around keeping the claim terminology of 'horizontal slice image', 'vertical region of interest', and 'vertical slice image' in the newly proposed claims.

Applicant would like to thank Examiner Ahmed for the open and frank discussion about the claims as well as the assistance provided in avoiding 37 CFR 112 issues in the newly presented claims.

Applicant contends that the application is now in condition for allowance and a notice to that effect is earnestly solicited. It is believed that no new matter has been added and no new claim fees are due since the number of pending claims does not exceed the number previously paid for. The Commissioner is also hereby authorized to charge to Deposit Account Number 20-0515 for any fee deficiency, or to credit this Deposit Account Number for any overpayment.

Best regards,


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